Preliminary Classification:	•	
Proposed Class:	,	
Subclass:		

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### **NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

Inventor(s): Glen Ward; Kendall Hendrick; Vince Rizzo

For (title): Tray for Automated Histochemical Processing

## 1. Type of Application

This transmittal is for an original (nonprovisional) application.

#### 2. Papers Enclosed

- A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application
- 7 Page(s) of Specification
- 4 Page(s) of Claims
- 7 Sheet(s) of Drawing(s)--Informal
- B. Other Papers Enclosed
- 3 Page(s) of declaration and power of attorney
- 1 Page(s) of abstract

#### 3. Declaration or Oath

Enclosed

Executed by: Kendall Hendrick, Vince Rizzo, inventors.

# 4. Inventorship Statement

The inventorship for all the claims in this application is different. Inventors for claims 1-7 are Ward and Hendrick; inventors for claims 8-27 are Ward and Rizzo.

# 5. Language

English

## 6. Assignment

An assignment of the invention to Ventana Medical Systems, Inc. will follow.

# 7. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

CLAIMS AS FILED						
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a \$750.00	
Total Claims (37 CFR 1.16(c)	)) 27	- 20 =	7 x	\$18.00	\$126.00	
Independent Cla (37 CFR 1.16(b		- 3 =	0 x	\$84.00	\$0.00	
Multiple Depen Claim(s), if any (37 CFR 1.16(d			+	\$280.00	\$0.00	
Filing Fee Calculation					\$876.00	
8. Fee Pa	yment Being Mad	e at This Time				
Enclose	ed Filing Fee	·			\$876.00	
	Total Fees Enc	losed			\$876.00	

# 9. Method of Payment of Fees

Charge Account No. 50-0861 in the amount of \$876.00. A duplicate of this transmittal is attached.

#### 10. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-0861.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

#### 11. Instructions as to Overpayment

Credit Account No. 50-0861.

# ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED

#### 12. Relate Back

Amend the specification by inserting, before the first line, the following sentence:

## A. 35 U.S.C. Section 119(e)

"This application claims the benefit of U.S. Provisional Application No.:

#### APPLICATION NO.

**FILING DATE** 

60/396,837

07/16/2002

#### 13. Maintenance of Copendency of Prior Application

This Application is filed prior to the expiration of the prior application, Serial Number 60/396,837.

#### 14. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

a. This application discloses and claims additional disclosure by continuation-inpart and a new declaration or oath is being filed. With respect to the prior application, the inventors in this application are more than in the prior application. The following

(New Application Transmittal--page 4)

additional inventor has been added:

Vince Rizzo

Date:

Huw R. Jones

Registration No. 33,916

Ventana Medical Systems, Inc.

1910 Innovation Park Drive

Tucson, AZ 85737

Tel: 520-229-3821

Fax: 520-229-4216

Customer No. 23874

### Practitioner's Docket No. 359/002/PA Express Mail No. EV 056975034 US

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ward, Glen; et al

Application No.: Not assigned

Group No.: N

Not Assigned

Filed: herewith

Examiner: Not Assigned

For: Tray for Automated Histochemical Processing

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#### **EXPRESS MAIL CERTIFICATE**

"Express Mail" label number EV 056975034 US

Date of Deposit: July 16, 2003

I hereby state that the following attached paper or fee

New Application Transmittal: 5 pages

Specification 7 sheets Claims 4 sheets Abstract 1 sheet Drawings 7 sheets

Combined Declaration and Power of Attorney 3 pages

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is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Carolyn Thornburg

Signature of person mailing paper or fee

(Express Mail Certificate--page 1 of 1)